

REMARKS

Reconsideration of the above-referenced application is respectively requested in view of the above amendments and these remarks. Claims 1-9 and 12-29 are currently pending.

According to the Office Action, claims 1, 3-5, 7-19 are rejected under 35 U.S.C. § 103(a) as being unpatentable over United States Patent No. 6,725,053 to Rosen et al. in view of United States Patent No. 6,804,542 B1 to Haartsen and further in view of United States Patent No. 5,301,225 to Suzuki et al. Applicant has amended claim 1 and cancelled claims 10-11 to obviate the rejection. Applicant has also amended certain dependent claims to be consistent with the amendment to claim 1. In particular, Applicant has amended claim 1 to indicate that there is a first inactivity temporal window and a second inactivity temporal window which are adjusted based on the determined mobility indicia and wherein the first inactivity temporal window is increased and the second inactivity temporal window is decreased depending on the mobility indicia. Thus, as the mobility indicia changes, the first inactivity temporal window can increase and the second inactivity temporal window can decrease for each of the modes of operation. As the mobility indicia indicate that the mobile station is increasing in speed, the inactivity temporal window for the activity mode will increase and the inactivity for the semi-dormant mode temporal window will decrease. As the mobility indicia indicates that the mobile station is decreasing in speed, the inactivity temporal window for the semi-dormant mode will increase as the inactivity temporal window for the active mode will decrease. As can be seen, the mobility indicia adjusts both the first and second inactivity temporal window in a corresponding fashion. No new matter is entered by this amendment, and adequate disclosure can be found in the discussion of Figure 3.

Haartsen and Suzuki were discussed in the Amendment filed July, 6, 2006. Rosen is directed a method and apparatus for reducing dormant-wakeup latency in a group communication network that provides for a significant reduction in the actual total dormant-wakeup time and the PTT latency perceived by the talker through caching the network-initiated wakeup triggers destined for target listeners, and delivering a wakeup

trigger to a target mobile station as soon as the target mobile station has re-established its traffic channel.

Rosen is cited to state that the prior art discloses the three modes of operation being the active, semi-dormant and dormant modes of operation. See Paragraph 5 of the Office Action. Haartsen is cited to state the prior art discloses monitoring setup delay information to adjust an inactivity temporal window. See Paragraph 6 of the Office Action Suzuki is cited to state that prior art discloses an indicator of the relative mobility of the mobile station. See Paragraphs 8 and 11 of the Office Action. Applicant traverses what is disclosed by Suzuki as stated in the July 6, 2006 Amendment. Nonetheless, none of the prior art references discloses the first inactivity temporal window increasing and the second inactivity temporal window decreasing and the increasing and decreasing of the inactivity temporal windows being dependent on the mobility indicia.

In view of the foregoing, Applicant respectfully submits that the cited combination of Rosen, Haartsen and Suzuki does not disclose, teach or otherwise suggest the increasing and decreasing of the first and second inactivity temporal windows depending on the mobility indicia. Applicants respectfully submit that independent claim 1 is patentable over the cited combination. As claims 2-9 and 12-19 depend upon and include the limitations of claim 1, Applicant submits that these dependent claims are patentable over the cited combination for the same reasons. Applicant therefore requests that this rejection under Section 103(a) be withdrawn.

Claims 2 and 6 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Rosen in view of Haartsen, Suzuki and further in view of United States Patent Application Publication No. 2003/0,114,159 to Park et al, which was discussed in the July 6, 2006 Amendment and does not disclose the increasing and decreasing of the first and second inactivity temporal windows depending on the mobility indicia. As claims 2 and 6 depend upon claim 1, Applicant respectfully submits that it is patentable over cited combination such that claims 2 and 6 are non-obvious. Applicant therefore requests that this rejection under Section 103(a) be withdrawn.

Claims 20-26 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Haartsen in view of Suzuki. As stated above, neither Haartsen or Suzuki disclose teach or otherwise suggest the increasing and decreasing of the first and second inactivity

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timers depending on the mobility indicia. Applicant therefore respectfully submits that claims 20-26 are non-obvious for the reasons given above for claim 1. Applicants request that this rejection under Section 103(a) be withdrawn.

Claims 27-29 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Rosen in view of Haartsen. As discussed in relation to claim 1, neither Rosen nor Haartsen disclose teach or otherwise the increasing and decreasing of the first and second inactivity temporal windows depending on the mobility indicia. Independent claim 27, however, is not directed to mobility indicia but to setup delay indicia. While mobility indicia and setup time indicia are different, Rosen and Haartsen still do not disclose the increasing and decreasing of the first and second inactivity temporal windows depending on the setup time indicia. Applicant respectfully submits that claim 27, and claims 28-29 which depend on claim 27, are not obvious in view of the cited combination. Therefore, Applicant requests that the rejections under Section 103(a) be withdrawn.

As the Applicant has overcome all substantive rejections and objections given by the Examiner and have complied with all requests properly presented by the Examiner, the Applicant contends that this Amendment, with the above discussion, overcomes the Examiner's objections to and rejections of the pending claims. Therefore, the Applicant respectfully solicits allowance of the application. If the Examiner is of the opinion that any issues regarding the status of the claims remain after this response, the Examiner is invited to contact the undersigned representative to expedite resolution of the matter.

Please charge any fees associated herewith, including extension of time fees, to **50-2117**.

Respectfully submitted,
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